**Court No. 2**

Writ Petition No. 484 of 2003 (M/B)

M/s Premier Cali Chedmicals, Village-Malsi

Post office-Sinola,

Distt. Dehradun ..... Petitioner

Vs.

Uttaranchal Pollution Control Board

..... Respondents

.....

**Hon. P.C. Verma, A.C.J.**

**Hon. Irshad Hussain, J.**

Heard learned counsel for the parties.

This writ petition has been filed seeking a writ of cerciorari to quash the order passed by the Uttaranchal Pollution Board under section 31 A of the Air Act. The challenge is that the power of the board has been exercised by the Member Secretary without any delegation or authority, therefore, the same may be quashed. This ground has also been taken in appeal which is pending before the Appellate Authority. The petition has been filed with the assertion that the appellate authority is not deciding the appeal. Hence the writ petition.

Sri Ata-ur-Rab appearing on behalf of Uttaranchal Pollution Board submitted that the Appellate Authority is constituted and, therefore, may be directed to decide the appeal within reasonable time. Therefore, we direct the Appellate Authority to decide the appeal within one month from the date of production of the certified copy of this order. For one month, no coercive measures shall be taken against the petitioner.

The petition is disposed of accordingly.

Dt. 13.6.2003

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**(P.C. Verma, A.C.J.)**